IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

PETITION NO.122 OF 2004

Re: N.K. Gupta ..Debtor.

Ex-parte:

SICOM Limited ..Petitioning Creditor.

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Mr. Kishore Jain i/b Mr. P.V. Shah for the Petitioning Creditor.

Mr. Ramesh Saraogi for the Debtor.

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CORAM : DR.D.Y.CHANDRACHUD, J.

15th February, 2005.

P.C. :

Counsel appearing on behalf of the Judgment Debtor undertakes to file his Vakalatnama within one week.

A decree dated 30th June, 1989 was passed by this Court in Summary Suit 3646 of 1987. As on 7th February, 2004, an amount of Rs.7.1 Crores is outstanding. Following the issuance of an

insolvency notice, act of insolvency was completed on 27th April, 2004. A Notice of Motion for setting aside the insolvency notice that had been taken out, it is common ground, was dismissed on 18th January, 2005. This Petition was adjourned on 5th October, 2004, 19th October, 2004, 7th December, 2004, 18th January, 2005 and 1st February, 2005. No reply has been filed. There is absolutely no defence. The Petition is accordingly made absolute in terms of prayer clauses (a) and (b).